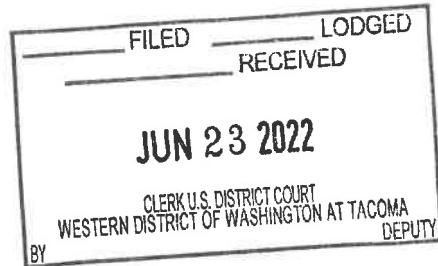


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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Tran, Tam

,
Plaintiff(s),

v.

Clark County
Sheriff's Office

,
Defendant(s).

CASE NO. 3:22-cv-5456-BHS
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: Yes No

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Street Address
City and County
State and Zip Code
Telephone Number

Tam Tran
4100 NE 45th Cir
Vancouver WA 98661-2814
WA 98661-2814
360 909 3831

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1 B. Defendant(s)

2 Provide the information below for each defendant named in the complaint, whether the
3 defendant is an individual, a government agency, an organization, or a corporation. For an
4 individual defendant, include the person's job or title (if known). Attach additional pages if
needed.

5 Defendant No. 1

6 Name

7 Job or Title (if known)

8 Street Address

9 City and County

10 State and Zip Code

11 Telephone Number

Clark County Sheriff's Office

707 West 13th St.

Vancouver Clark

WA 98660

564 397 2211

12 Defendant No. 2

13 Name

14 Job or Title (if known)

15 Street Address

16 City and County

17 State and Zip Code

18 Telephone Number

19 Defendant No. 3

20 Name

21 Job or Title (if known)

22 Street Address

23 City and County

24 State and Zip Code

25 Telephone Number

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1 Defendant No. 4

2 Name _____

3 Job or Title (*if known*) _____

4 Street Address _____

5 City and County _____

6 State and Zip Code _____

7 Telephone Number _____

8 **II. BASIS FOR JURISDICTION**

9 Federal courts are courts of limited jurisdiction (limited power). Generally, only two
10 types of cases can be heard in federal court: cases involving a federal question and cases
11 involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under
12 the United States Constitution or federal laws or treaties is a federal question case. Under 28
13 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and
14 the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of
15 citizenship case, no defendant may be a citizen of the same State as any plaintiff.

16 What is the basis for federal court jurisdiction? (*check all that apply*)

17 Federal question

Diversity of citizenship

18 Fill out the paragraphs in this section that apply to this case.

19 A. If the Basis for Jurisdiction Is a Federal Question

20 List the specific federal statutes, federal treaties, and/or provisions of the United States
21 Constitution that are at issue in this case.

22 _____
23 _____
24 _____

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1 B. If the Basis for Jurisdiction Is Diversity of Citizenship

2 1. The Plaintiff(s)

3 a. If the plaintiff is an individual.

4 The plaintiff (name) Tran, Tam, is a citizen of the
5 State of (name) Washington.

6 b. If the plaintiff is a corporation.

7 The plaintiff, (name) _____, is incorporated under
8 the laws of the State of (name) _____, and has its principal
9 place of business in the State of (name) _____.

10 *(If more than one plaintiff is named in the complaint, attach an additional page providing
the same information for each additional plaintiff.)*

12 2. The Defendant(s)

13 a. If the defendant is an individual.

14 The defendant, (name) _____, is a citizen of the
15 State of (name) _____. Or is a citizen of
16 (foreign nation) _____.

17 b. If the defendant is a corporation.

18 The defendant, (name) Clark County Sheriff's, is incorporated under
19 the laws of the State of (name) Washington, and has its principal
20 place of business in the State of (name) Washington.

21 Or is incorporated under the laws of (foreign nation) _____,
22 and has its principal place of business in (name) _____.

23 *(If more than one defendant is named in the complaint, attach an additional page
providing the same information for each additional defendant.)*

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3. The Amount in Controversy.

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

3/28/2020 - Arrested for domestic violence and locked up for 3 days. Was not allowed to come home for almost 6 months, discriminating

IV. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

- I had to sleep on the streets and was basically homeless.

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
4 identified, will likely have evidentiary support after a reasonable opportunity for further
5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related
8 papers may be served. I understand that my failure to keep a current address on file with the
9 Clerk's Office may result in the dismissal of my case.

10 Date of signing: 6/15/22

11 Signature of Plaintiff Tam Tran

12 Printed Name of Plaintiff Tam Tran

14 Date of signing: _____

15 Signature of Plaintiff _____

16 Printed Name of Plaintiff _____

18 Date of signing: _____

19 Signature of Plaintiff _____

20 Printed Name of Plaintiff _____

21

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VIETNAMESE

**IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK**

State of Washington)
City of Vancouver/ Camas/Washougal) Case No: XZ0389535 CLS CN
Plaintiff,)
v.) NOT GUILTY PLEA
TRAN, TAM)
Defendant.)

THIS CAUSE coming in Open Court on the below indicated date, pursuant to CrRLJ 4.1, for the Defendant to plead to the crime(s) charged herein, and it being demanded of the Defendant whether he/she is guilty or not guilty of the matter(s) set forth in the criminal complaint/citation, the Defendant pleads NOT GUILTY to each count contained therein.

The Defendant has been advised of his/her right to a trial by jury. The Defendant also has been advised of his/her right to be represented by a lawyer at arraignment and to have an appointed lawyer for arraignment if the defendant cannot afford one.

To the Defendant:

You are hereby ordered to appear at District Court for the following scheduled court dates:

PRETRIAL CONFERENCE DATE: _____ at _____

MANDATORY PRETRIAL HEARING DATE: MAY 26, 2020 at 8:30 AM

OTHER DATE: Not Applicable on _____ at _____

Defendant is hereby released by this court order or has been admitted to bail. Failure to appear at these hearings, or any other court dates scheduled as a result of these hearings, may result in a bail/bond forfeiture and/or the issuance of a warrant for your arrest.

Dated 03/30/2020

Digitally signed by Judge Kelli E.
Osler
Date: 2020.03.30 14:13:53 -0700

Judge Kelli Osler

I have read and understand this agreement. I have received a copy of this agreement and by signing below, agree to appear at all scheduled court dates.

X

Defendant

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

State of Washington)
City of Vancouver/ Camas/Washougal) Case No(s): 891476 WSP CT
Plaintiff,)
v.)
TRAN, TAM)
Defendant.) Order To Return To Court

YOU ARE HEREBY ORDERED TO RETURN TO COURT:

on MAY 26, 2020 at 8:30 AM

for FTC NLV

Defendant is hereby released by this court order or has been admitted to bail. Failure to appear at this hearing or any other court dates scheduled as a result of this hearing may result in a bail/bond forfeiture, and/or the issuance of a warrant for your arrest.

Dated

03/30/2020

Judge Kelli E.
Osier

Digitally signed by Judge
Kelli E. Osler
Date: 2020-03-30 14:14:37
-07'00'

Judge Kelli Osler

I understand that I am liable for penalties for failure to appear.

X _____
Defendant

Defendant's Attorney, WSBA

**DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK**

State of Washington/City of Vancouver/
City of Camas/Washougal

Plaintiff,

vs.

TRAN, TAM

Defendant.

[REDACTED] 1960

No: XZ0389535 CLS CN

Crime: ASSAULT 4TH DEGREE-DV

**ORDER ESTABLISHING CONDITIONS OF
RELEASE PURSUANT TO CrR3.2**

THE COURT HAVING found probable cause, establishes the following conditions that shall apply while this case is pending or until this order is modified by the court; IT IS HEREBY ORDERED

Pretrial Release Level:

RECOGNIZANCE

ADMINISTRATIVE

Every other week phone check-ins

ENHANCED

Once per month in person check-in and once per month phone check-in

INTENSIVE

Every other week in person check-ins

In addition to the above release level, **BAIL** is set at \$ [REDACTED]

You are to report to Clark County Pretrial Services Division within 24 hours or the next business day after your release from custody at **707 W 13TH STREET, VANCOUVER, WASHINGTON**

Additional Conditions:

- You shall obey all laws
- You shall maintain contact with your defense attorney
- You shall appear at all scheduled hearings, trial, and other hearings required by the court or PRETRIAL RELEASE

YOUR NEXT COURT DATE IS: MAY 26, 2020

at 8:30 AM

- You shall keep your contact information updated with your PRETRIAL RELEASE OFFICER AND THE COURT

Address: [REDACTED]

Phone: [REDACTED]

VIETNAMESE

CFN _____

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARKState of Washington
City of Vancouver/ Camas/Washougal

v.

Plaintiff,)	Case No: 891476	WSP	CT
)	Memorandum of Disposition		
Defendant,)			
)			

TRAN, TAMDOB: 1/1960

CRIME(S) DUI

- The defendant shall be released from custody today on the above-captioned case(s) only.

Reason for release: Release on Recognizance

- The defendant is hereby remanded to custody: Hold without Bail Bail is set at _____

To Supervised Release, if qualified – If not qualified bail is set at _____

Bail shall remain in the amount previously set.

- The defendant has been sentenced to confinement totaling _____ days with credit for time served of _____ days to be served as follows:

_____ days of additional total confinement

_____ days of additional partial confinement on:

work/educational release work program EHC

Defendant shall be screened while in custody

Sentence to run concurrent/ consecutive with _____

- The defendant is hereby Ordered to return to court on MAY 26, 2020 at 8:30 AM

- Reassign _____

Corrections to terminate supervision.

- The defendant shall report to Clark County District Court Administration within 24 hours of this order/release from custody.

- YOU SHALL HAVE NO ILLEGAL DRUGS, MARIJUANA, OR ALCOHOL IN YOUR SYSTEM** when reporting to jail, future court appearances, corrections or any assigned class or program.

- The defendant shall report to jail immediately on _____ at _____

Other: _____

FAILURE TO REPORT TO JAIL, WORK RELEASE, WORK CREW MAY CONSTITUTE THE CRIME OF ESCAPE AND COULD SUBJECT THE DEFENDANT TO IMMEDIATE ARREST. FAILURE TO RETURN TO COURT AS ORDERED MAY CONSTITUTE THE CRIME OF BAIL JUMP.

Judge Kelli E.
Osler

Digitally signed by Judge
Kelli E. Oster
Date: 2020.03.30 14:14:37
-07'00'

Judge Kelli Osler

Dated: 03/30/2020

Defendant

Memorandum of Disposition / Page 1 of 1
891476 WSP CT

Prosecuting Attorney WSBA#

Defense Attorney WSBA#

Clerk 4749
DC 1003D / Rev 05/2013

VIETNAMESE

**DISTRICT COURT OF WASHINGTON
FOR THE COUNTY OF CLARK****STATE OF WASHINGTON/ CITY OF
VANCOUVER/ CITY OF CAMAS/ WASHOUGAL**
Plaintiff,vs.
TRAN, TAM**DOB [REDACTED] 1960****Defendant,****No-Contact Order****1. Protected Person's Identifiers:****PHAN, LOAN T**

Name (Last, First Middle)

10/23/1973 F A

DOB

Gender

Race

Name (Last, First Middle)

DOB

Gender

Race

Defendant's Identifiers:

Date of Birth: 6/15/1960

Gender M

Race A

2. Defendant:

- A. do not cause, attempt, or threaten to cause bodily injury to, assault, sexually assault, harass, stalk, or keep under surveillance the protected person.
- B. do not contact the protected person, directly, indirectly, in person or through others, by phone, mail, or electronic means, except for mailing or service of process of court documents through a third party, or contact by the defendant's lawyers.
- C. do not knowingly enter, remain, or come within 250 _____ (1,000 feet if no distance entered) of the protected person's residence, school, workplace, other: _____.
- D. other: Third-party contact allowed by E-mail or phone, and other electronic communications allowed, but no in-person contact.

Third party contact allowed to obtain essential personal belongings and tools of trade.

Third Party contact allowed regarding child welfare and to arrange child visits, if any.

3. Firearms, Weapons, and Concealed Pistol License, Defendant:

- do not own, possess, or control a firearm. (RCW 9.41.040.)
- do not access, obtain, or possess a firearm, other dangerous weapon, or concealed pistol license. (RCW 9.41.800.)
- shall immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license. Comply with the *Order to Surrender Weapons* filed separately. (RCW 9.41.800.)

4. This no-contact order expires on MARCH 30, 2025 . Five years from today if no date is entered.

Warning: Violation of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if the person protected by this order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written request.

4749

DC 1401

Rev 09/2019